

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

MARTHA RAMIREZ ,

Plaintiff,

vs.

Civ. No. 97-0080 MV/WWD

WAL-MART, STORES INC.,
d/b/a SAM'S CLUB,

Defendant.

MEMORANDUM OPINION AND ORDER

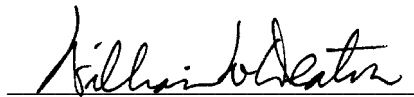
This matter comes before the Court upon Defendant's Motion for Protective Order filed November 6, 1997. Defendant seeks a protective order precluding the taking of the depositions of David Glass, S. Robson Walton, and Donald Soderquist, and quashing the deposition notices to those persons scheduling depositions for September 23, 1997. The proposed deponents have no personal knowledge regarding Plaintiff's allegations. On April 10, 1997, Defendant provided Plaintiff with the name of a person who would be the corporate representative regarding the policies at issue; however, Plaintiff has not taken that person's deposition. I am not persuaded at this time that it is necessary and proper to take the depositions of Messrs. Glass, Walton, and Soderquist. In this particular case the Defendant has strenuously resisted discovery causing undue expense to Plaintiff and the waste of the time and resources of the Court. Against this background it is difficult to give much weight to Defendant's argument which is essentially that the top management at Wal-Mart has better things to do than to respond to questions raised in law suits brought to address allegedly improper company practices and policies. Nevertheless, I

will not allow the proposed depositions at this time. After the deposition of the designated representative has been taken I will reconsider this question if necessary.

WHEREFORE,

IT IS ORDERED that Defendant's Motion for Protective Order is **GRANTED**; provided, however, that Plaintiff is not precluded from raising again the question of taking the depositions of one or more of the directors or officers of Wal-Mart in the event such a deposition appears to be warranted after the deposition of Charlyn Jarrels, the Defendant's designated representative.

IT IS FURTHER ORDERED that the Notices to take the depositions of David Glass, S. Robson Walton, and Donald Soderquist be, and they hereby are, quashed.

A handwritten signature in black ink, appearing to read "William W. Deaton", is written over a horizontal line.

William W. Deaton
UNITED STATES MAGISTRATE JUDGE